

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:21-cv-9-MOC-WCM**

REBA MCMAHAN,

Plaintiff,

vs.

JOSEPH JONES, et al.,

Defendants.

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ORDER

THIS MATTER comes before the Court on a Motion to Dismiss for Failure to State a Claim, filed by Defendant Joseph Jones. (Doc. No. 5). Defendant seeks dismissal of Plaintiff's claims for wrongful termination, constructive termination, and failure to hire against Defendant Jones. In response, Plaintiff concedes that these claims should be dismissed and moves for voluntary dismissal of these claims. (Doc. No. 9).

IT IS, THEREFORE, ORDERED that:

1. Defendant's Motion to Dismiss for Failure to State a Claim, (Doc. No. 5), is **GRANTED**, and Plaintiff's claims for wrongful termination, constructive termination, and failure to hire against Defendant Jones are dismissed. All other claims remain in this action.

Signed: March 17, 2021


Max O. Cogburn Jr.
United States District Judge